



1654 ^{JK}

Docket No. 57094 (71526)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: M. Sakanaka et al. EXAMINER: P. A. Patten
SERIAL NO. 10/070,209 GROUP: 1654
FILED: July 12, 2002
FOR: BRAIN CELL- OR NERVE CELL-PROTECTING AGENTS
COMPRISING MEDICINAL GINSENG

CERTIFICATE OF MAILING

I hereby certify that, on the date shown below, this correspondence and any paper referred to as being attached hereto are being deposited with the United States Postal Service with sufficient postage in an envelope as first Class Mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: June 22, 2004

Signature: Michelle P. Chicos

Michelle P. Chicos

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications or other information submitted for consideration by the Office are listed on PTO-1449, attached hereto.

II. COPIES

- a. ☒ Submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.

III. CONCISE EXPLANATION OF THE RELEVANCE
(check at least one box)

- a. ☒ Except as may be indicated below in (b), all of the patents, publications or other information are in the English language or were cited in an English

language Search Report, a copy of which is attached hereto (concise explanation not required).

- b. ☐ A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:
- c. ☒ The following additional information is provided for the Examiner's consideration:

See Supplementary European Search Report dated May 4, 2004.

FEES

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b)
(check one box)

- a. ☐ within three months of the filing date of a national application (37 C.F.R. § 1.97(b) (1)). No fee or certification is required.
- b. ☐ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b) (2)). No fee or certification is required.
- c. ☐ before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b) (3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below, or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

V. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):
(check one box)

- ☒ before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c) (1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c) (2)).
- a. ☐ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).
- or
- b. ☒ See the certification below. No fee is required.

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby certifies that

- a. ☒ each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.
- c. ☐ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned certifies that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

☐ Please charge Deposit Account No. 04-1105 in the amount of \$ _____ for the above-indicated fee. A triplicate copy of this paper is attached.

☒ No fee is required.

☐ Fee enclosed, check in the amount of \$ 180.00.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition, if necessary) and charge the appropriate fee to Deposit Account No. 04-1105.

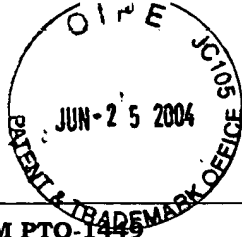
Respectfully submitted,



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June 22, 2004

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FORM PTO-1449		DOCKET NO.: 57094 (71526)		SERIAL NO.:10/070,209			
INFORMATION DISCLOSURE STATEMENT		APPLICANT(S): M. Sakanaka et al.					
		FILING DATE: July 12, 2002		GROUP NO.: 1654			
UNITED STATES PATENT DOCUMENTS							
EXAM. INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO
	BA	EP 1 170 012 A1	01/2002	EPO			
	BB	JP 02 152926	06/1990	Japan			English Abstract only
OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)							
	CA	Lin et al., "Transformation of ginsenosides Rg1 and Rb1, and crude Sanchi saponins by human intestinal microflora," <i>Journal of the Chinese Chemical Society</i> 48(1) (2001) (ABSTRACT ONLY) Database Accession No. 2001:204459. (XP-002276421)					
	CB	Zhang et al, " Influences of ginsenosides Rb ₁ and Rg ₁ on reversible focal brain ischemia in rats," <i>Acta Pharmacologica Sinica</i> 17:1 pgs. 44-48 (1996). (XP002926090)					
	CC	Sakanaka et al, "Ginseng Root's Ability to Prevent Learning Disability and Neuronal Loss in Normothermic Gerbils with 5-min Forebrain Ischemia," <i>Japanese Journal of Pharmacology</i> 67:1 (1995) (ABSTRACT ONLY) (XP-001059689)					
	CD	Gong et al., "Stroke therapy in traditional Chinese medicine (TCM): prospects for drug discovery and development," <i>Trends in Pharmacological Sciences, Elsevier Trends Journal</i> 20(5):pgs. 191-196 (1999).					
	CE	Database WPI, Section Ch, Week 199725 <i>Derwent Publications Ltd.</i> (ABSTRACT ONLY) (XP-002276423)					
	CF	Choi et al., "Inhibitory Effects of <i>Panax ginseng</i> Saponin Fractions on Dexamethasone-induced Thymus Apoptosis," <i>Symposium on Current Topics in Pharmacology and Toxicology Catholic Research Institutes of Medical Science</i> Pg. 162 (1997) (ABSTRACT ONLY) (XP-001180904)					
	CG	Kim et al., " <i>Panax ginseng</i> blocks morphine-induced thymic apoptosis by lowering plasma corticosterone level," <i>General Pharmacology</i> 32(6):647-652 (1999).					
	CH	Chen et al., "Cardiovascular Protection by Ginsenosides and Their Nitric Oxide Releasing Action," <i>Clinical and Experimental Pharmacology and Physiology</i> 23:728-732 (1996).					
	CI	Gonzalez-Garcia et al., " <i>bcl-x</i> is expressed in embryonic and postnatal neural tissues and functions to prevent neuronal cell death," <i>Proc. Natl. Acad. Sci USA</i> 92:4304-4308 (1995).					
Examiner:					Date:		